

1 Plaintiff LORENA ROA
2 Proceeding *Pro Se*
3 P.O. Box 27072
4 San Francisco, CA 94127
5 Brionloren@gmail.com
6 Telephone: (415) 933-2412
7

8 SEYFARTH SHAW LLP
9 Michael J. Burns (SBN 172614)
10 mburns@seyfarth.com
11 Michael E. Harvey (SBN 267684)
12 mharvey@seyfarth.com
13 560 Mission Street, Suite 3100
14 San Francisco, California 94105
15 Telephone: (415) 397-2823
16 Facsimile: (415) 397-8549
17

18 Attorneys for Defendant
19 SEARS, ROEBUCK AND CO.
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21 UNITED STATES DISTRICT COURT
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23 NORTHERN DISTRICT OF CALIFORNIA
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25 LORENA ROA, an individual,

26 Case No. 3:17-cv-06413 RS

27 Plaintiff,

28 **STIPULATION AND [PROPOSED
ORDER] TO REFER CASE TO
SETTLEMENT CONFERENCE WITH A
MAGISTRATE JUDGE**

v.
SEARS, ROEBUCK AND CO., and DOES 1
through 200, inclusive,

Defendants

1 Pursuant to Civil Local Rules 7-1(a)(5) and 7-12, and ADR Local Rule 7-2, Lorena Roa
2 (“Plaintiff”) and Sears, Roebuck and Co. (“Defendant”) (collectively the “Parties”) hereby submit this
3 stipulation and proposed order to refer this case to a settlement conference with a Magistrate Judge,
4 based on the following reasons:

5 WHEREAS, the Court ordered the Parties to engage in private mediation within 120 days of the
6 February 26, 2018 Case Management Scheduling Order;

7 WHEREAS, the Court subsequently granted Plaintiff’s attorney’s request to withdraw without
8 substitution in its May 11, 2018 Order Granting Motion to Withdraw;

9 WHEREAS, Plaintiff has been proceeding *pro se* since the Court’s May 11, 2018 Order;

10 WHEREAS, the Parties are unable to reach an agreement to refer the case to private mediation;

11 WHEREAS, the Parties are in agreement with referral of this case to an early settlement
12 conference with a Magistrate Judge.

13 NOW THEREFORE, IT IS JOINTLY STIPULATED BY THE PARTIES THAT:

14 1. The Parties agree to refer the case and appear at an early settlement conference before a
15 Magistrate Judge.

16 2. The Parties agree and request to be relieved of the referral to engage in private mediation
17 in the Court’s February 26, 2018 Case Management Scheduling Order.

18 **IT IS SO STIPULATED**

19 DATED: June 28, 2018

21 By: /s/ Lorena Roa
22 Lorena Roa, Plaintiff *in pro se*

23 DATED: June 28, 2018

SEYFARTH SHAW LLP

24 By: /s/ Michael E. Harvey
25 Michael J. Burns
Michael E. Harvey

26 Attorneys for Defendant
27 SEARS, ROEBUCK AND CO.

1 **ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

2 I, Michael E. Harvey, attest that concurrence in the filing of this Stipulation and [Proposed
3 Order] to Refer Case to Settlement Conference with a Magistrate Judge has been obtained from the
4 signatory Lorena Roa, Plaintiff *in pro se*.

5 DATED: June 28, 2018

6 By: /s/ Michael E. Harvey
7 Michael E. Harvey

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10 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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12 DATED: 6/29/18

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Hon. Richard Seeborg
United States District Judge